

Digital Images from Investigations

Contents

1.0	Scope	5.0	Definitions
2.0	Background	6.0	General Principles
3.0	Purpose	7.0	Procedures
4.0	Related Authorities		

1.0 Scope

This applies to digital images taken by wildlife enforcement officers in the conduct of an investigation or inspection which may be used as evidence.

2.0 Background

During the course of enforcement activities, wildlife enforcement officers may obtain evidence in a number of ways, including the documentation of crime scenes, witnesses, accused individuals and items used in the commission of an offence. Some of these items may be documented by the aid of digital images.

3.0 Purpose

To ensure that officers follow a procedure that will ensure digital images may be accepted in court as evidence.

4.0 Related Authorities

The *Canada Evidence Act* and the Criminal Code

Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act (WAPPRIITA)

Canada Wildlife Act (CWA)

Migratory Birds Convention Act, 1994 (MBCA)

5.0 Definitions

Photograph: a still picture, a photographic film or plate, a microphotographic film, a photostatic negative, an X-ray film, a motion picture film and a videotape.

Digital image: an image or series of images created by a digital camera that is saved in an electronic format.

6.0 General Principles

Photographic and digital images are used to record evidence for the prosecution of offences under Environment Canada's legislation. In order to ensure that digital images are accepted as evidence in any court proceedings, a strict set of procedures must be followed.

7.0 Procedures

IMPORTANT - it is imperative not to open any photos into any programs until copied over to CD's. These CD's will have original photos with no modification history and are a critical part of chain of evidence.

7.1 Prior to importing images from a camera to any other program (Quick Solve, Photoshop Photopaint, etc.), create two separate CD's containing all images imported from the camera. One CD will be turned in along with all other evidence to the evidence custodian, complete with item number. The second CD will be placed in the permanent case file for retention by the investigator. On the case file copy, mark as "File Copy". Both CD's will have the same item number.

7.2 Photographs from crime scenes taken on the digital systems will be downloaded into D drive or C drive. You should create a folder with the NEMISIS case number and move all pictures from the camera into the new folder. This folder should not be in your personal folder on the D or C drive, but in a separate one. If you need to create more than one folder for an investigation label them as per the NEMISIS numbering system.

7.3 Contact sheets will be made of photographs from this folder, in accordance with your imaging software. Two copies of the contact sheets will be made. One copy goes with the evidence CD and the second copy goes with the investigators copy of the CD. These contact sheets will be printed out on a color printer.

7.4 The case folder will remain on D or C drive and will be used in the process of your investigation.

7.5 Clear the digital images from the camera at this point.

7.6 Place CD's in plastic sleeves and then put one with one copy of contact sheets in manila envelope - mark with case number and item number. In a second envelope place the second CD and copies of contact sheets and mark with case number and item number as well as mark as Investigation file copy. The evidence item will be logged in as:

Item xx: One (1) CD with digital images and one (1) set of contact sheets.

7.7 To add additional scenes or digital evidence to the same case, you should follow the same procedure as listed in 7.1. Any additional photos acquired in the investigation should be recorded on a separate CD following the same procedures as listed above.